

### **REMARKS**

In the above-identified Office Action, the Examiner has objected to the drawings because of a reference character which is noted. Applicant has corrected this reference character and hereby submits a corrected Figure 4 for the Examiner's approval. Further, the Examiner has noted that Figures 1 and 3 do not have an injection hole 10 which is larger than the other injection holes. Applicant has corrected this as well and asks the Examiner's approval.

The Examiner has also objected to claims 22 and 23 as being of improper dependent form. Applicant has canceled these claims thereby obviating this objection.

Claims 14 - 21 have been rejected as being indefinite for use of the transitional word "characterized". Applicant has amended the claims to delete this term in favor of the term "wherein". Further, the Examiner has indicated that the phrase "a certain injection hole to always be in opposition to the inner peripheral surface of the pipe" as being indefinite. Applicant has amended this so that it now reads "closest to the inner peripheral surface of the pipe." Finally, the phrase "provision is made for causing the nozzle to turn in a spiral manner ..." has been termed indefinite by the Examiner. Applicant has amended this phrase so that it now recites a structural component.

Claims 14, 18, 23, 24 and 25 have been rejected as being anticipated by the Japanese Reference 7-55308 (hereinafter JP308).

Applicant has amended the claims so that each independent claim now recites that the certain injection hole (10) is always closest to the inner peripheral surface by adjusting where the plurality of injection holes is formed and adjusting the jetting volume of the high pressure water jetted from the injection holes without utilizing a revolving power of the universal guide. It is now claimed that the injection hole 10, i.e. the largest of the injection holes, is positioned so as to always be the closest to the inner peripheral surface of the pipe. This is not accomplished by means shown in JP308 which as described in the Japanese Abstract, enclosed herein, the nozzle is rotated by the fluid energy caused by a vane in the nozzle guide number 12. Thus, it would appear in JP308 nozzle 8 is continuously rotating and the large injection hole 9A (in JP308) is also continuously rotating. However in the subject application and as now claimed, the nozzle 1 is not rotated by the universal guide in JP308. Accordingly, Applicant believes that by the above amendments, the subject claims should now be allowable.

Serial No. 09/890,943

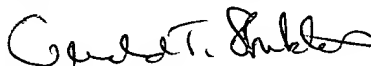
Claim 22 has been rejected as being unpatentable over JP308 in view of JP472.  
Applicant has canceled claim 22 and accordingly, this rejection is considered obviated.

Claim 26 has been rejected as being unpatentable over JP308; however, Applicant has amended claim 26 as set forth above and for the reason set forth above, is believed to also to be patentable over JP308.

Applicant hereby requests reconsideration and re-examination thereof.

With the above amendments and the remarks, this application is considered ready for allowance, and Applicants earnestly solicit an early notice of same. If the Examiner believes that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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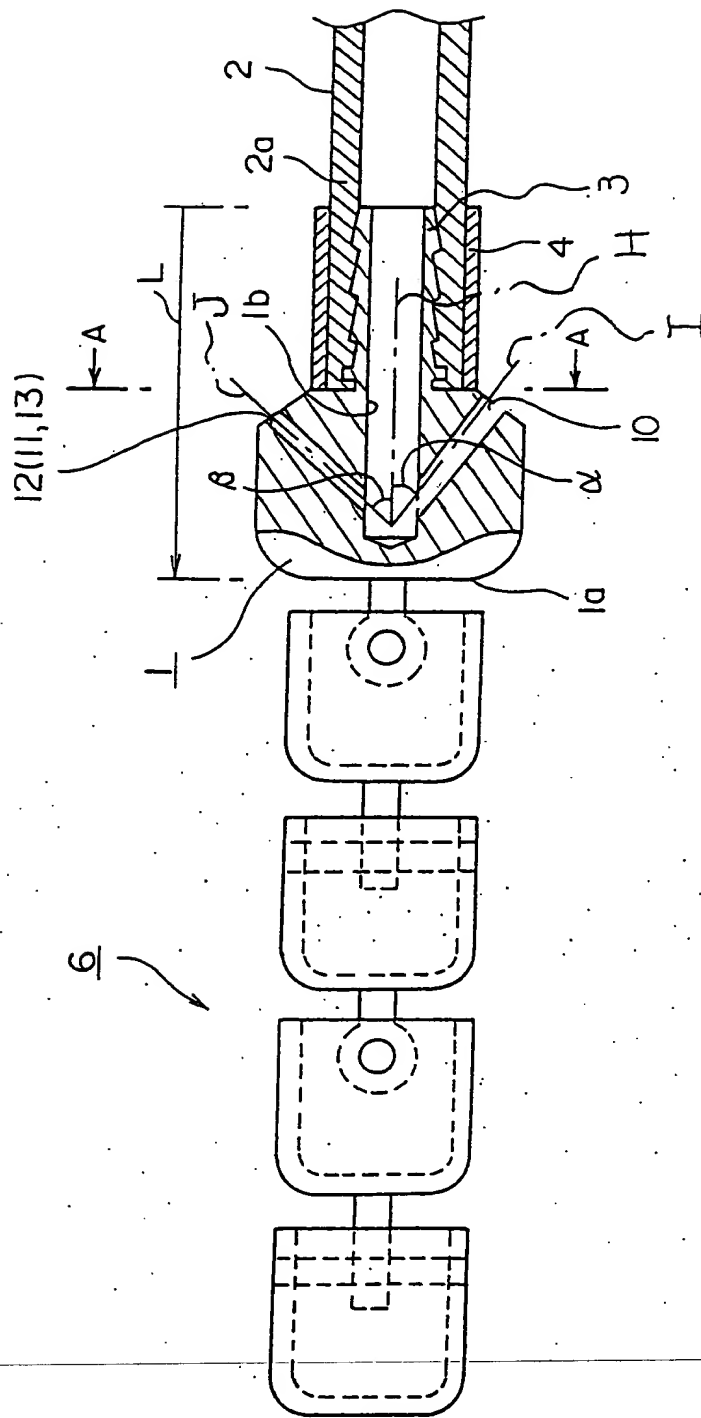
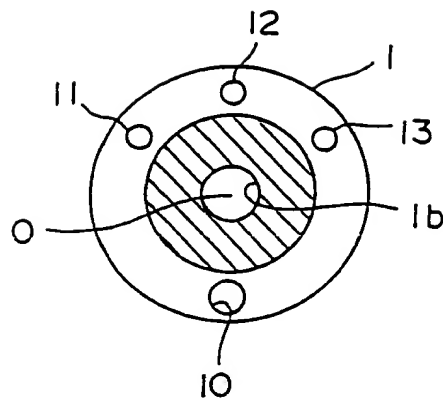
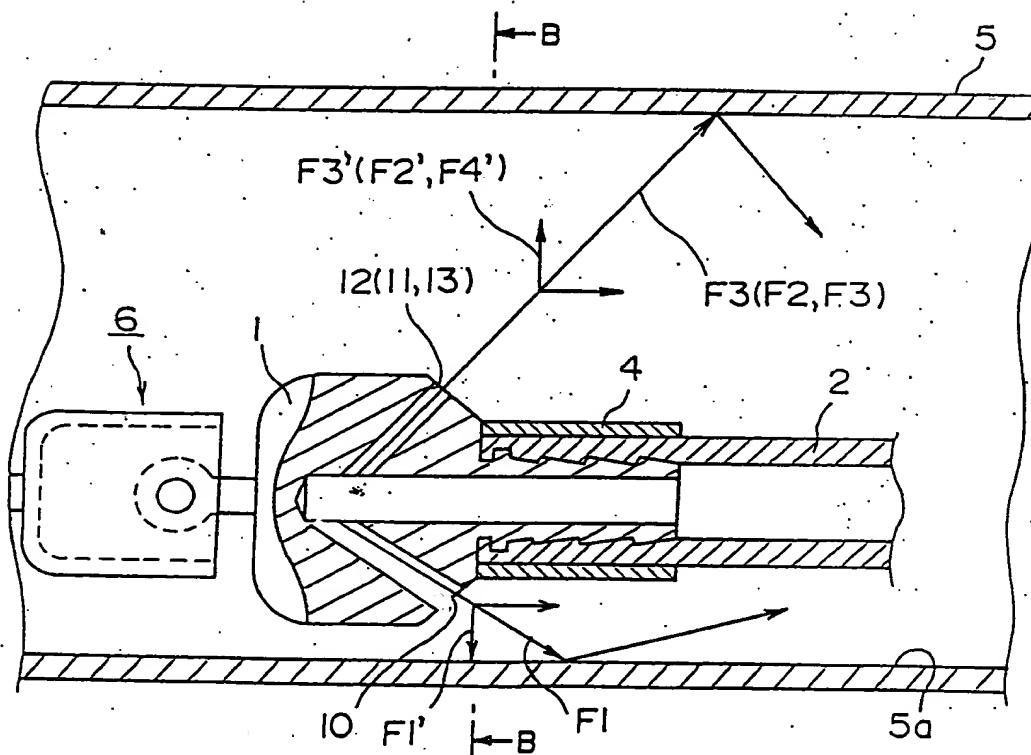


FIG.1

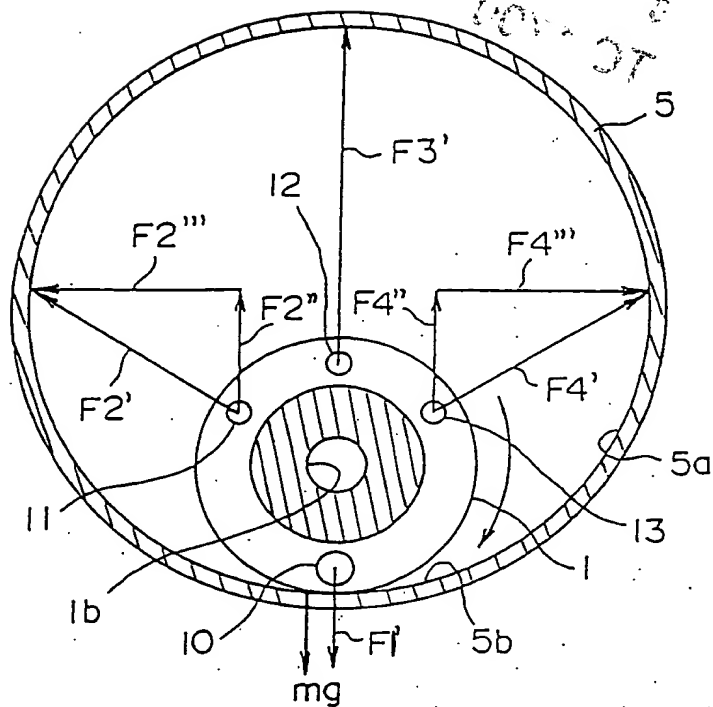


**FIG.2**



**FIG.3**

**FIG.4**



**FIG.5**

